

Application No. 10/669,713
Attorney Docket No.: 031212
Amendment Under 37 C.F.R. § 1.116

REMARKS

Claims 1 and 3-5 are pending in the present application. Claim 1 is herein amended.
Claim 2 is herein cancelled. No new matter has been entered.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hamrock** (U.S. Patent 6,063,522) in view of **Sano** (U.S. Application Publication 2002/0086191); and claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hamrock** in view of **Sano**, and further in view of **Takahashi** (JP 2003-249263).

Favorable reconsideration is requested.

Claim 1 has been amended to include all the limitations of claim 2, and claims 3-5 depend, either directly or indirectly from claim 1. Thus, only the rejection of claim 2 is addressed below.

Applicants submit that the priority document JP 2002-286103 (filing date: September 30, 2002) pre-dates the prior art date of Takahashi (publication date: September 5, 2003). Thus, Applicants have enclosed with this amendment, a verified translation of the priority document JP 2002-286103 for overcoming the rejection of amended claim 1 and dependent claims 3-5 based in part on Takahashi.

Accordingly, withdrawal of the rejection of claims 1 and 3-5 is hereby solicited.

Double Patenting

Claims 1-3 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 4-6 of copending Application No.

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10/787,749 in view of Sano, and claims 1 and 4-6 of copending Application No. 10/785,970 in view of Sano.

Applicants will address the provisional rejections for obviousness-type double patenting once all other claim rejections have been withdrawn if the claims remain rejected for obviousness-type double patenting.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Andrew G. Melick
Attorney for Applicants
Registration No. 56,868
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

AGM/adb

Enclosure: Verified Translation of JP 2002-286103